

In re the application of M. L. Nelson, *et al.*
Serial No. 09/895,812
Filed: June 29, 2001
For: 7-Substituted Tetracycline Compounds

Case File No. GAZ-080CP

Box Missing Parts
COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

Transmitted herewith for filing in connection with the above-identified application are the following:

- ☒ Preliminary Amendment (5 pages)
- ☒ Response to Notice to File Missing Parts of Nonprovisional Application (2 pages, in duplicate)
- ☒ Six (6) executed Declarations, Petitions and Power of Attorney (9 pages each)
- ☒ Copy of Formalities Letter (1 page)
- ☒ Request for Five-Month Extension of Time (1 page, in duplicate)

The fee, based on the Preliminary Amendment, has been calculated as shown below:

	(Col. 1)	(Col. 2)
FOR:	NO. FILED	NO. EXTRA
BASIC FEE	////////////////////	
TOTAL CLAIMS	99 - 20	= 79
INDEP. CLAIMS	4 - 3	= 1
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED		

* If the difference in Col. 2 is less than zero,
enter "0" in Col. 2.

SMALL ENTITY	
RATE	FEE
////////	\$
x 9=	\$
x 42	\$
+140	\$
TOTAL	0

OTHER THAN SMALL ENTITY	
RATE	FEE
////////	\$ 740
x 18=	\$ 1422
x 84	\$ 84
+280	\$ 280
TOTAL	\$2526.00

- * If the entry in Col 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

- ☒ A check in the amount of \$2,656.00 is enclosed for basic filing fee (\$740.00), presentation of extra claims (\$1,786.00) and late filing fee (\$130.00).
- ☒ A check in the amount of \$1,960.00 is enclosed for a Five-Month Extension of Time.
- ☐ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. A duplicate copy of this sheet is enclosed.
 - ☐ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
 - ☐ Any patent application processing fees under 37 CFR 1.17.


USNN: 09/895,812
Attorney Docket No.: GAZ-080CP

Group Art Unit: 1614

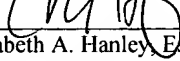
- ☒ Please charge any additional fees or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. Applicants request any extensions of time necessary to respond. A duplicate copy of this sheet is enclosed.

I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231 on:

Date March 22, 2002


Signature of Person Mailing

LAHIVE & COCKFIELD, LLP
Attorneys at Law

By 
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Mark L. Nelson, *et al.*

Serial No.: 09/895,812

Filed: June 29, 2001

For: 7-SUBSTITUTED TETRACYCLINE COMPOUNDS

Attorney Docket No.: GAZ-080CP

Group Art Unit: 1614

Examiner: Not Assigned

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on the date set forth below.

March 22, 2002

Date of Signature and of Mail Deposit

By:

Elizabeth A. Hanley, Esq.

Registration No. 33,505

Attorney for Applicants

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION**

Dear Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application dated August 22, 2001, Applicants' attorney submits herewith six (6) executed Declarations, Petitions and Powers of Attorney for Patent Application for the above-identified patent application. A check in the amount of \$2,656.00 is enclosed to cover the basic filing fee, additional claim fee and late filing fee surcharge owed by Applicants based on large entity status. A copy of the Formalities Letter is also enclosed.

Please note that the fees submitted are based on the claims as amended in the accompanying Preliminary Amendment. After amendment, there are 4 independent claims, and 79 extra claims over 20.

Please charge any deficiencies or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this letter is enclosed.

Respectfully submitted,



Elizabeth A. Hanley, Esq.
Registration No. 33,505
Attorney for Applicants

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28 State Street
Boston, MA 02109
Tel. (617) 227-7400

Dated: March 26, 2002

#5



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/895,812	06/29/2001	Mark L. Nelson	GAZ-080CP

CONFIRMATION NO. 1583

FORMALITIES LETTER



OC000000006459120

Elizabeth A. Hanley, Esq.
Lahive & Cockfield, LLP
28 State Street
Boston, MA 02109

Date Mailed: 08/22/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$4310.

03/28/2002 HBERHE	00000080 09895812
01 FC:101	
02 FC:105	740.00 DP
03 FC:103	130.00 DP
04 FC:102	1422.00 DP
05 FC:104	84.00 DP
	280.00 DP

 - \$3960 for 220 total claims over 20.
 - \$80 for 1 independent claims over 3.
 - \$270 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 5150.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE